

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
EASTERN DIVISION

REEM ANTWONE COOPER,)	
)	
Plaintiff,)	
)	
VS.)	No. 20-1123-JDT-cgc
)	
NATHANIEL SHOATE,)	
)	
Defendant.)	

ORDER ADOPTING REPORT AND RECOMMENDATION, DISMISSING CASE,
CERTIFYING AN APPEAL WOULD NOT BE TAKEN IN GOOD FAITH,
AND DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*

The *pro se* Plaintiff, Reem Antwone Cooper, filed a complaint pursuant to 42 U.S.C. § 1983. (ECF No. 1.) United States Magistrate Judge Charmiane G. Claxton found that Cooper's complaint failed to state a claim on which relief may be granted and recommended dismissal pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). (ECF No. 7.) Cooper filed no objections to that recommendation, but he did file an amended complaint. (ECF No. 8.) On July 28, 2020, the Court adopted the Report and Recommendation (R&R) to dismiss the original complaint but returned the case to the Magistrate Judge for screening of the amended complaint.

Magistrate Judge Claxton issued a second R&R on August 11, 2020, again recommending dismissal of the case, finding that Cooper's amended complaint also fails to state a claim under § 1983. (ECF No. 11 at PageID 38-39.) With regard to any claims

Cooper may intend to assert under Tennessee state law, the Magistrate Judge determined those claims should be dismissed without prejudice. (*Id.* at PageID 39.) Objections to the R&R were due on or before August 28, 2020. *See* Fed. R. Civ. P. 72(b)(2); *see also* Fed. R. Civ. P. 6(d).

Cooper has filed no objections to the R&R. The Court finds no error in Magistrate Judge Claxton's conclusions and therefore ADOPTS the R&R to dismiss this case in its entirety. Cooper's § 1983 claims are DISMISSED for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii); any claims asserted under Tennessee law are DISMISSED without prejudice.

It is CERTIFIED, pursuant to 28 U.S.C. § 1915(a)(3) and Federal Rule of Appellate Procedure 24(a), that any appeal in this matter by Cooper would not be taken in good faith. Leave to appeal *in forma pauperis* is DENIED.

The Clerk is directed to prepare a judgment.

IT IS SO ORDERED.

s/ **James D. Todd**
JAMES D. TODD
UNITED STATES DISTRICT JUDGE